

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Wolfgang MARKUS  
Patent App. 10/530,218  
Filed 29 September 2005 Conf. No. 1273  
For MAKING FIXED RAILWAY TRACK  
Art Unit 3617 Examiner Le, M  
Hon. Commissioner of Patents Allowed: 24 September 2009  
Box 1450  
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SUPPLEMENTAL DECLARATION

As the below-named inventor, I declare:

That the information given herein is true and that I believe that I am the original, first, and sole inventor of the invention that is described and claimed in the specification and claims of the above-identified application.

That the subject matter of the amendments filed in this application on 23 September 2008, 9 February 2009, 10 March 2009, 29 June 2009 was part of my invention and was invented before the filing of the above-identified application.

That I do not know and do not believe that the invention was ever known or used in the United States of America before my invention thereof or more than one year prior to this application or, if this application is entitled under 35 USC 120 to the filing date of a predecessor application, more than one year prior to the effective date of such predecessor application.

That the invention has not been patented or made the subject of an inventor's certificate issued before the filing date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application or to the predecessor application and has not been abandoned.

That no application for patent or inventor's certificate on this invention has been filed by me or my legal representatives or assigns in any country foreign to the United States of America prior to the present application, or to the predecessor application except as has been set forth in the Oath or Declaration or any Substitute Oath or Declaration filed in the above-identified application.

That I hereby acknowledge a duty to disclose information of which I am aware and which is material to the examination of this application; and

That I hereby ratify all transactions in the United States Patent and Trademark Office carried out in the prosecution of this application by my attorneys and agents of record and ratify the appointment of my attorneys, Andrew Wilford, Reg. 26,597 and Jonathan Myers, Reg. 26,963, The Firm of Karl F. Ross, P.C., 5683 Riverdale Avenue, Box 900, Bronx, NY 10471-0900, Tel. (718) 884-6600.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 12. November 2009

  
Wolfgang MARKUS